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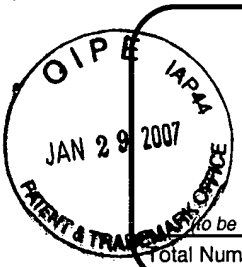

TRANSMITTAL FORM

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Filing Date	April 2, 1996
First Named Inventor	Michael F. Quinn
Art Unit	3628
Examiner Name	Frantzy Poinvil
Attorney Docket Number	CITI0003

ENCLOSURES ***(check all that apply)***

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
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- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Kilpatrick Stockton, LLP		
Signature	John Ball		
Printed Name	George T. Marcou		
Date	1/29/07	Reg. No.	33,014

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CITI0003 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the U.S. Application of

Michael F. QUINN et al. Group Art Unit: **3628**

Serial No.: **08/626,600**

Examiner: **Poinvil, F.**

Filed: **April 2, 1996**

For: **DOCUMENT STORAGE AND RETRIEVAL SYSTEM**

AMENDED APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop **Appeal Brief - Patents**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is an Amended Appeal Brief under 37 C.F.R. § 41.37 in connection with the Final Office action mailed on March 24, 2006, the Advisory Action mailed on July 3, 2006, and the Notification of Non-Compliant Appeal Brief ("Notification") mailed December 29, 2006. Specifically, the Notification stated that, in the Summary, the "claimed invention is not mapped to identify independent claims 44, 45, and 46 ... ." It is respectfully submitted that the topics required by Rule 41.37 is presented herewith and is labeled appropriately. Should any additional fees be required, please charge to account number 501458.

(1) REAL PARTY IN INTEREST

The real party in interest in this appeal is the assignee of record, Citibank, N.A., as evidenced by the Assignment recorded on April 2, 1996 at Reel 7938, Frame 0584.

(2) RELATED APPEALS AND INTERFERENCES

The Board of Patent Appeals and Interferences issued an opinion in a prior appeal of the present application, Appeal No. 2000-1442 mailed March 11, 2002 (re-mailed May 10, 2002). No other appeals, interferences, or judicial proceedings are known to be related to this case.

(3) STATUS OF THE CLAIMS

Claims 37-46 are pending and rejected. Claims 37-46 are appealed. Claims 1-36 were previously cancelled.

(4) STATUS OF AMENDMENTS

No amendments to the claims, specification or drawings were filed subsequent to the final rejection mailed on March 24, 2006.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

An embodiment of the present invention is a trade records information management system for storing, searching, and retrieving data pertaining to financial transactions, comprising (*See e.g.*, p. 4, lines 6-16): a plurality of central data storage means (*See e.g.*, p. 12, lines 4-10;

Fig. 1, items 118, 120) maintained at a plurality of regional processing centers (*See e.g.*, p. 13, lines 20-22), each central data storage means includes means for storing transaction data folders which contain images, information about the images, messages and completed inquiries (*See e.g.*, p. 12, lines 11-24); means for storing images in a plurality of formats, wherein a first transaction data folder stores a first format of an image and a second transaction data folder stores a second format of the image (*See e.g.*, p. 54, lines 13-22); a plurality of customer service units (*See e.g.*, p. 14, lines 1-6; Fig. 3, item 179) that are remote from each of the plurality of regional processing centers, each customer service unit having local data storage means of at least 500 megabytes of memory maintained at the customer service units (*See e.g.*, p. 53, lines 20-25), the local data storage means includes means for storing the transaction data folders which contain the images and messages and completed inquiries (*See e.g.*, p. 12, lines 18-20); means for transmitting the images to the customer service units after determining that the images are not electronically stored at the customer service units (*See e.g.*, p. 11, lines 12-21; p. 14, lines 7-16; Fig. 1, item 116); a communications network connecting each regional processing center with at least one customer service unit in a set associated with each of the plurality of regional processing centers and connecting the plurality of regional processing centers together (*See e.g.*, p. 15, lines 4-23; p. 55, lines 9-19); means for inputting data into each of the plurality of central data storage means from a plurality of sources, the means including means for creating and inputting images of hard copy documents (*See e.g.*, p. 11, lines 17-20; Fig. 1, item 136); means for indexing input data (*See e.g.*, p. 11, lines 21-25; p. 24, lines 15-21; Fig. 1, item 138; Fig. 8, item 454) in the central data storage means and creating the transaction data folder related to the

transaction, each of the transaction data folders containing a unique identifier (*See e.g.*, p. 12, lines 22-24) and at least one image file of the at least one hard copy document wherein the image file of the hard copy document related to the transaction is stored in the transaction data folder (*See e.g.*, p. 12, lines 13-18); means for searching the local data storage means in response to structured queries and identifying records that match the queries (*See e.g.*, p. 27, lines 4-9; Fig. 9, items 534, 540); graphic user interface means for allowing users to build the structured queries (*See e.g.*, p. 15, lines 13-18); means for displaying data in the local data storage means so as to enable the transaction data folder to be reviewed (*See e.g.*, p. 46, lines 19-22; p. 53, line 22; Fig. 21, item 1252); means for restricting users to only retrieve images from the local data storage means (*See e.g.*, p. 6, lines 24-26); means for allowing a user to monitor another user's work-in-process at any time to monitor the backlog and assigned levels of work, and means for assigning monitoring privileges to select users (*See e.g.*, p. 5, line 26 – p. 6, line 4); means for assigning the transaction data folder to the users based upon a predetermined routing procedure (*See e.g.*, p. 15, line 24 – p. 16, line 2); means for creating a work queue for the users (*See e.g.*, p. 7, lines 6-10; p. 45, lines 23-25); means for allowing the users to exchange database data (*See e.g.*, p. 55, lines 13-19); means for maintaining the internal unique identifier to identify the transaction data folder and document with an image transaction identification number (*See e.g.*, p. 13, lines 5-9; p. 26, lines 16-19); means for retrieving identified data records from one of the plurality of central data storage means in response to the structured queries and replicating data records retrieved from the central data storage means in the local data storage means (*See e.g.*, p. 54, lines 3-6); gateway means located at each of the plurality of regional processing centers, for

linking the central data storage means with the local data storage means at each of the customer service units and linking the communication network to other networks (*See e.g.*, p. 16, line 25 – p. 17, line 4); and wherein the transaction data folders can be accessed by customer service representatives at any network location (*See e.g.*, p. 5, lines 7-9).

A further embodiment of the present invention is a process of trade records information management for storing, searching, and retrieving data pertaining to financial transactions comprising the steps of (*See e.g.*, p. 4, lines 6-16): preprocessing inbound paper-based documents including scanning the inbound paper-based documents (*See e.g.*, p.11, lines 17-20; Fig. 1, item 136); indexing the inbound paper-based documents (*See e.g.*, p. 11, lines 21-25; p. 24, lines 15-21; Fig. 1, item 138; Fig. 8, item 454); storing images (*See e.g.*, p. 54, lines 13-22); storing information about the images (*See e.g.*, p. 12, lines 11-24); storing messages and completed inquiries (*See e.g.*, p. 12, lines 11-24); inputting data into a central data storage means from a plurality of sources (*See e.g.*, p.11, lines 17-20; Fig. 1, item 136); indexing input data in the central data storage means (*See e.g.*, p. 11, lines 21-25; p. 24, lines 15-21; Fig. 1, item 138; Fig. 8, item 454) and creating a transaction data folder, the transaction data folder containing a unique identifier (*See e.g.*, p. 12, lines 22-24) and an image file containing an image of at least one paper-based document, information about the at least one paper-based document, messages and completed inquiries, wherein the image is stored in at least one format in the transaction data folder (*See e.g.*, p. 12, lines 13-22); assigning the transaction data folder to a particular user based upon predetermined routing rules (*See e.g.*, p. 15, line 24 – p. 16, line 2); creating a queue for the particular user, the queue containing documents and inquiries for processing (*See e.g.*, p.

7, lines 6-10; p. 45, lines 23-25); monitoring document work flow for backlog and assigned work levels (*See e.g.*, p. 5, line 26 – p. 6, line 4); connecting regional processing centers with a plurality of customer service units through a communications network linking the central data storage means with local data storage means at each of the customer service units and linking the communications network to other networks to allow data communication between the data storage means and the networks (*See e.g.*, p. 15, lines 4-23; p. 55, lines 9-19); restricting user workstations to only retrieve images from local storage devices (*See e.g.*, p. 6, lines 24-26); searching the data storage means in response to structured queries and identifying records that match the queries (*See e.g.*, p. 27, lines 4-9; Fig. 9, items 534, 540); maintaining an internal unique key identifier to identify each of the transaction data folder and documents with an image transaction identification number (*See e.g.*, p. 13, lines 5-9; p. 26, lines 16-19); and transmitting images to the customer service unit, the customer service unit having at least 500 megabytes of memory (*See e.g.*, p. 53, lines 20-25), wherein a determination is first made that the images are not locally stored at the customer service unit (*See e.g.*, p. 54, lines 20-22).

An additional embodiment of the present invention is a method of managing documents and messages associated with a financial transaction in a system comprising (*See e.g.*, p. 4, lines 6-16): scanning at least one paper document associated with the financial transaction to generate at least one image of the at least one paper document at a first site (*See e.g.*, p.11, lines 17-20; Fig. 1, item 136); transmitting the at least one image in a first format to a first regional processing center (*See e.g.*, p.54, lines 3-6); transmitting the at least one image in a second format to a second regional processing center (*See e.g.*, p.54, lines 3-15); retrieving the at least

one image at a local trade records information management system from the first regional processing center after determining that the at least one image is not electronically stored at the local trade records information management system (*See e.g.*, p. 54, lines 20-22); indexing the at least one image at the local trade records information management system (*See e.g.*, p. 11, lines 21-25; p. 24, lines 15-21; Fig. 1, item 138; Fig. 8, item 454); creating a first transaction folder at the local trade records information management system wherein the first transaction folder contains information related to the financial transaction including the at least one image and messages (*See e.g.*, p. 12, lines 18-20); storing the first transaction folder at both the local trade records information management system and the first regional processing center (*See e.g.*, p. 13, lines 20-25); retrieving information within the first transaction folder from either the first regional processing center or the local trade records information management system (*See e.g.*, p. 54, lines 20-22); wherein a user may access the first transaction folder at the local trade management information system when the regional processing center is off-line (*See e.g.*, p. 54, lines 20-22); and wherein a system administrator may restrict the user to access only images from local storage devices (*See e.g.*, p. 6, lines 24-26).

(6) GROUNDS OF REJECTION PRESENTED FOR REVIEW

Claims 39-41, 43, 44, 45, and 46 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor *et al.* (U.S. Patent No. 5,168,444) ("Cukor") in view of Tom Reding, *Digital Imaging Technology: What, Where, and Why in Commercial Nuclear Power* ("Reding"),

and Jacobs *et al.* (U.S. Patent No. 5,696,898) ("Jacobs") or Baker *et al.* (U.S. Patent No. 5,696,898) ("Baker") and Burks *et al.* (U.S. Patent No. 5,644,778) ("Burks").

Claims 37 and 42 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor, Reding and Baker or Jacobs and Burks, as applied to Claim 46 above, and further in view of Wang *et al.* (U.S. Patent No. 5,490,217) ("Wang").

Claim 38 stands rejected under 35 U.S.C. § 103 as being unpatentable over Cukor and Reding, and Baker or Jacobs and Burks, as applied to Claim 46 above, and further in view of Joe Dysart, *A Shortcut in the Paper Chase* ("Dysart").

(7) ARGUMENT

Claims 39-41, 43, 44, 45, and 46 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor *et al.* (U.S. Patent No. 5,168,444) ("Cukor") in view of Tom Reding, *Digital Imaging Technology: What, Where, and Why in Commercial Nuclear Power* ("Reding"), and Jacobs *et al.* (U.S. Patent No. 5,696,898) ("Jacobs") or Baker *et al.* (U.S. Patent No. 5,696,898) ("Baker") and Burks *et al.* (U.S. Patent No. 5,644,778) ("Burks").

In the Final Office Action mailed March 24, 2006, the Examiner rejects all the claims and asserts that the arguments presented in the Response filed December 27, 2005 ("Prior Response") were directed to "the manner in which Burks et al. format or reformat the received medical data" which "is irrelevant and should not be addressed" because "the manner in which to format the image data or document is not being claimed." (Final Office Action, p. 3.). The Examiner's rejections are respectfully traversed.

Rather than taking an image of a paper document and storing or transmitting that image in one or more different formats, Burks teaches taking an incoming data message (e.g., a claims submission from a hospital) and editing and rearranging that data and generating a new and different data message (e.g., one that satisfies the arrangement of data required by the insurance company).

In the Prior Response, the Applicant's representative explained that,

> Claim 44 was amended to include "means for storing images in a plurality of formats, wherein a first transaction data folder stores a first format of an image and a second transaction data folder stores a second format of the image;" claim 45 was amended to include "wherein the image is stored in at least one format in the transaction data folder;" and claim 46 was amended to include "transmitting the at least one image in a second format to a second regional processing center."
>
> ***
>
> The Examiner asserts that Burks teaches these limitations and therefore independent claims 44-46 are rejected. The rejection is respectfully traversed.
>
> ***
>
> Contrary to the claimed invention, the system in Burks requires the incoming record to be a data message and not an image so that the data can be extracted from particular data fields and reorganized into a generic format.

Prior Response, pp. 9-10 (emphasis added). The independent claims have limitations directed to an "image" wherein the image is an image of a paper or hard-copy document and that image is either transmitted or stored in one or more different formats as cited above.

Burks does not show or suggest these limitations, and even teaches away from these limitations. In fact, Burks does not even use the word "image" in its disclosure. Burks discloses,

> The compiler retrieves the data from the data fields of the received data messages and organizes the data into a generic data record format. A verifier 36 checks the data fields within each generic data record to determine that the proper type of data is in each data field.

Col. 9, lines 31-35. Accordingly, Burks teaches away from receiving an image of a paper document and storing that image in a different format. Nowhere does Burks mention in its discussion of medical claims processing, receiving the image of a paper medical claim form wherein that same image is stored or transmitted in a different format.

For at least the reasons stated above, the cited references do not teach or suggest independent claims 44-46 of the present application. Therefore, the undersigned respectfully submits that independent claims 44-46 are allowable over the cited art. Further, dependent claims 39-41 and 43 are also allowable as they contain the limitations of the claims on which they depend.

Claims 37 and 42 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor, Reding and Baker or Jacobs and Burks, as applied to Claim 46 above, and further in view of Wang *et al.* (U.S. Patent No. 5,490,217) ("Wang")

Because Wang does not cure the deficiencies of Burks with respect to independent claim 46 addressed above, the undersigned representative respectfully submits that dependent claims 37 and 42 are also allowable as they contain the limitations of claim 46.

Claim 38 stands rejected under 35 U.S.C. § 103 as being unpatentable over Cukor and Reding, and Baker or Jacobs and Burks, as applied to Claim 46 above, and further in view of Joe Dysart, *A Shortcut in the Paper Chase* ("Dysart").

Because Dysart does not cure the deficiencies of Burks with respect to independent claim 46 addressed above, the undersigned representative respectfully submits that dependent claim 38 is also allowable as it contains the limitations of claim 46.

Respectfully submitted,

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(8) CLAIMS APPENDIX

1 - 36. (Cancelled)

37. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein the user may transfer the image in the first transaction folder into a second transaction folder.

38. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein the storing of the first transaction folder at the first regional processing center occurs at night and the storing of the first transaction folder at the local trade records information management system occurs during the day.

39. The method of managing documents and messages associated with the financial transaction in the system of claim 46 comprising:

connecting the first regional processing center with a second regional processing center such that a second remote site can access the first transaction folder stored in the first regional processing center via the second regional processing center.

40. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein any data input into the system by the first site must be routed to the local trade records information management system in order to be placed into the first transaction folder.

41. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein the first transaction folder is a new transaction folder created by the local trade records information management system.

42. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein the first transaction folder is a pre-existing transaction folder.

43. The method of managing documents and messages associated with the financial transaction in the system of claim 46, wherein the information related to the financial transaction which is stored within the first transaction folder is further comprised of inbound fax messages.

44. A trade records information management system for storing, searching, and retrieving data pertaining to financial transactions, comprising:

a plurality of central data storage means maintained at a plurality of regional processing centers, each central data storage means includes means for storing transaction data folders which contain images, information about the images, messages and completed inquiries;

means for storing images in a plurality of formats, wherein a first transaction data folder stores a first format of an image and a second transaction data folder stores a second format of the image;

a plurality of customer service units that are remote from each of the plurality of regional processing centers, each customer service unit having local data storage means of at least 500 megabytes of memory maintained at the customer service units, the local data storage means includes means for storing the transaction data folders which contain the images and messages and completed inquiries;

means for transmitting the images to the customer service units after determining that the images are not electronically stored at the customer service units;

a communications network connecting each regional processing center with at least one customer service unit in a set associated with each of the plurality of regional processing centers and connecting the plurality of regional processing centers together;

means for inputting data into each of the plurality of central data storage means from a plurality of sources, the means including means for creating and inputting images of hard copy documents;

means for indexing input data in the central data storage means and creating the transaction data folder related to the transaction, each of the transaction data folders containing a unique identifier and at least one image file of the at least one hard copy document wherein the image file of the hard copy document related to the transaction is stored in the transaction data folder;

means for searching the local data storage means in response to structured queries and identifying records that match the queries;

graphic user interface means for allowing users to build the structured queries;

means for displaying data in the local data storage means so as to enable the transaction data folder to be reviewed;

means for restricting users to only retrieve images from the local data storage means;

means for allowing a user to monitor another user's work-in-process at any time to monitor the backlog and assigned levels of work and means for assigning monitoring privileges to select users;

means for assigning the transaction data folder to the users based upon a predetermined routing procedure;

means for creating a work queue for the users;

means for allowing the users to exchange database data;

means for maintaining the internal unique identifier to identify the transaction data folder and document with an image transaction identification number;

means for retrieving identified data records from one of the plurality of central data storage means in response to the structured queries and replicating data records retrieved from the central data storage means in the local data storage means;

gateway means located at each of the plurality of regional processing centers, for linking the central data storage means with the local data storage means at each of the customer service units and linking the communication network to other networks; and

wherein the transaction data folders can be accessed by customer service representatives at any network location.

45. A process of trade records information management for storing, searching, and retrieving data pertaining to financial transactions comprising the steps of:

preprocessing inbound paper-based documents including scanning the inbound paper-based documents;

indexing the inbound paper-based documents;

storing images;

storing information about the images;

storing messages and completed inquiries;

inputting data into a central data storage means from a plurality of sources;

indexing input data in the central data storage means and creating a transaction data folder, the transaction data folder containing a unique identifier and an image file containing an image of at least one paper-based document, information about the at least one paper-based document, messages and completed inquiries, wherein the image is stored in at least one format in the transaction data folder;

assigning the transaction data folder to a particular user based upon predetermined routing rules;

creating a queue for the particular user, the queue containing documents and inquiries for processing;

monitoring document work flow for backlog and assigned work levels;

connecting regional processing centers with a plurality of customer service units through a communications network linking the central data storage means with local data storage means at each of the customer service units and linking the communications network to other networks to allow data communication between the data storage means and the networks;

restricting user workstations to only retrieve images from local storage devices;

searching the data storage means in response to structured queries and identifying records that match the queries;

maintaining an internal unique key identifier to identify each of the transaction data folder and documents with an image transaction identification number; and

transmitting images to the customer service unit, the customer service unit having at least 500 megabytes of memory, wherein a determination is first made that the images are not locally stored at the customer service unit.

46. A method of managing documents and messages associated with a financial transaction in a system comprising:

scanning at least one paper document associated with the financial transaction to generate at least one image of the at least one paper document at a first site;

transmitting the at least one image in a first format to a first regional processing center;

transmitting the at least one image in a second format to a second regional processing center;

retrieving the at least one image at a local trade records information management system from the first regional processing center after determining that the at least one image is not electronically stored at the local trade records information management system;

indexing the at least one image at the local trade records information management system;

creating a first transaction folder at the local trade records information management system wherein the first transaction folder contains information related to the financial transaction including the at least one image and messages;

storing the first transaction folder at both the local trade records information management system and the first regional processing center;

retrieving information within the first transaction folder from either the first regional processing center or the local trade records information management system;

wherein a user may access the first transaction folder at the local trade management information system when the regional processing center is off-line; and

wherein a system administrator may restrict the user to access only images from local storage devices.

(9) EVIDENCE APPENDIX

None.

(10) RELATED PROCEEDINGS APPENDIX

Attached is an opinion issued by the Board of Patent Appeals and Interferences in a prior appeal of the present application, Appeal No. 2000-1442 mailed March 11, 2002 (re-mailed May 10, 2002).

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL F. QUINN,
JAMES MCGINLAY and
ROMAN KADRON

Appeal No. 2000-1442
Application 08/626,600

ON BRIEF

Before URYNOWICZ, KRASS, and LEVY, Administrative Patent Judges.

URYNOWICZ, Administrative Patent Judge.

Decision on Appeal

This appeal is from the final rejection of claims 1-12 and 14-32. The rejection of claim 28 under 35 U.S.C. § 112 has been withdrawn.

The invention pertains to organizing and retrieving documents and material associated with the documents. Claim 14 is illustrative and reads as follows:

14. A process of trade records information management system for storing, searching, and retrieving data pertaining to financial transactions comprising the steps of:

preprocessing inbound paper-based documents including scanning the inbound paper-based documents;

indexing the inbound paper-based documents;

storing bit mapped images;

storing ASCII information about the bit mapped images;

storing messages and completed inquiries;

inputting data into a central data storage means from a plurality of sources;

indexing input data in the central data storage means and creating a transaction data folder, each transaction data folder containing a unique identifier and a bit mapped image file containing the image of at least one hard copy document, ASCII information about the at least one hard copy document, messages and completed inquiries.

The references relied upon by the examiner are:

Cukor et al. (Cukor)	5,168,444	Dec. 01, 1992
Wang et al. (Wang)	5,490,217	Feb. 06, 1996 (filed Mar. 05, 1993)

Dysart, J., "A Shortcut in the Paper Chase", Distribution, vol.93, no.1, January 1994, p. 42, 43.

Reding, T., "Digital Imaging Technology: What, Where and Why in Commercial Nuclear Power", Nuclear Plant Journal, vol. 9, no. 4, July-August 1991, p. 89, 90 and 94.

Claims 1-12, 14-25, 27-29 and 32 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor and Reding.

Claims 26 and 30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cukor and Reding further in view of Wang.

Claim 31 stands rejected under 35 U.S.C. § 103 as being unpatentable over Cukor and Reding further in view of Dysart.

The respective positions of the examiner and the appellants with regard to the propriety of these rejections are set forth in the final rejection and the examiner's answer (Paper Nos. 12 and 18, respectively) and the appellants' brief and reply brief (Paper Nos. 16 and 21, respectively).

Appellants' Invention

The invention is described at pages 2 and 3 of the brief.

The Prior Art

With respect to Figure 1, Cukor discloses an integrated digital system for image processing of documents generated in shipping transactions which includes one or more central transaction processing facilities 11 that receive images of shipping transaction documents. (See column 6, lines 1-10, for plural central transaction processing facilities). The document images may be captured by scanners at a plurality of remote

stations 10 associated with each central facility or they may be telefaxed (FAX STATION) directly to a processing facility by individual shippers. A central shipping transaction database is maintained on a host computer 19 along with appropriate applications for processing the transaction data and invoicing the transactions. The system includes a plurality of image processing stations 18 at each central facility, at which key operators may view the images of shipping documents according to predetermined workflow queues and, based on the images of the documents, enter transaction data into the shipping transaction database. The system allows for printing of transaction invoices from the data in the database along with a hard copy of any shipping document images which are to accompany the invoices.

Reding discloses that digital imaging technology systems may incorporate local and wide area network communications (page 89, column 1, second paragraph), that document scanners create bit-maps of the documents (page 89, column 2, last paragraph) and that information is converted to ASCII characters (page 89, column 2, last paragraph).

Wang teaches digital imaging technology systems wherein computer business, medical and other office files may be updated (column 1, lines 18-28; column 5, lines 44-52) and that different systems can exchange information through different business transaction forms (column 6, lines 27-51).

Dysart teaches the graphical imaging of financial documents across a network in which the scanned images are transferred electronically to regional processing centers at night (page 2, lines 3-7).

Grouping of Claims

At page 4 of the brief, appellants state that the claims do not stand or fall together.

Opinion

Appellants' first argument, which appears in the last paragraph of page 5 of the brief, is that Cukor's Figure 1 does not illustrate a plurality of regional centers being networked together. This argument is unpersuasive because the examiner refers to the reference's description of Figure 1 at columns 5 and 6, and it is this description which is relied on for a teaching of regional centers being networked together.

At the top of page 6 of the brief, it is argued that column 5, line 31 - column 6, line 10, fails to mention a plurality of regional centers.

Appellants' regional center of Figure 1 comprises optical store 118 and magnetic store 120. In Figure 1, Cukor's regional center comprises optical store 16 and magnetic store 15. Because Cukor teaches several central processing stations 11 at column 6, lines 3-6, and each of his stations would contain stores 15 and 16, Cukor teaches a plurality of regional centers.

At page 6, appellants argue that Cukor does not teach networking. This is unpersuasive because, with respect to Figure 1, the reference teaches remote scanning stations 10 (e.g., freight terminals) connected to processing facility 12. A wide area network (WAN) of necessity provides the communication between the remote stations (freight terminals) 10 and processing facility 12. The WAN would also provide the communication between the several processing stations and the computer 19 serving the processing stations.

Further at page 6, it is submitted that Cukor does not allow a customer at a first processing facility 12 to obtain information from a second processing facility. This argument is

not persuasive because a separate computer 19, which can serve several central processing stations 11, facilitates communication among facilities 12. At column 5, lines 47-55, Cukor discloses that the invention may include several "central" transaction processing stations 11 distributed over a large geographic area. In such an embodiment, the network interconnecting the stations is referred to in the art as a wide area network (WAN). The central stations being interconnected, any customer at a remote station 10 associated with a particular central station 11 is able to access information at any other central location. To assume, as does appellants, that in the above embodiment Cukor's central stations 11 are electronically "separated" or isolated simply make no sense because one would have to assume that Cukor is disclosing a plurality of like but separate, unconnected systems over a large geographic area. There would be no reason for Cukor to refer to separate, isolated systems, as in distant cities. A clear indication in the reference that the central networks are not isolated systems is that a separate computer may serve the several central processing stations (column 6, lines 1-6).

Still further in this regard, the disclosure of Reding at column 1 of page 89 is that digital imaging technology encompasses wide area network communications. This certainly enforces the position that the central stations 11 of Cukor are not separate systems.

At pages 7-9 of the brief, appellants argue to the effect that they are unable to find mention in Cukor of any reference relating to messages and completed inquiries. This position apparently relates to the second paragraph of claim 1 which calls for customer service units having local data storage means for storing folders which contain bit mapped images, messages and completed inquiries.

This position is unpersuasive because at column 10, lines 41-54, Cukor teaches remote stations where scanned documents (bit mapped images) are stored in a local image file (folders) in a local magnetic storage device (local data storage means), and because at column 21, line 12 - column 22, line 11, Cukor teaches various types of messages, including acknowledgments and commands, issued to a remote station from the central station. An acknowledgment signal from the central station in response to a status request from a remote station is a completed inquiry.

At page 10, item 2c., appellants argue that the examiner has not set forth motivation for Cukor to process or handle messages and inquiries. This is not persuasive in view of our discussion, above, acknowledging that Cukor teaches messages and inquiries.

At page 11 of the brief, and specifically with respect to claim 4, appellants state to the effect that the examiner has taken Official Notice that monitoring the work of another, backlog processing and assigning access privileges are well known processes within the prior art, and requests that the examiner provide a reference showing these features. MPEP § 2144.03.

We agree with the examiner that, under the circumstances of this case, he need not provide a reference. After the examiner took Official Notice of the above subject matter, that notice was not traversed by appellants in their subsequent response of February 27, 1998. The examiner issued a final rejection on May 27, 1998 and prosecution on the merits of this case was closed as of that date.

At page 11, appellants further argue that there is no motivation to combine the features which the examiner took Official Notice of with the teaching of Cukor. It is argued

there is no reason for the key operator in Cukor to monitor the work of another key operator.

Appellants' argument is not persuasive. Cukor discloses operator-run processing workstations 18 for performing various functions, e.g., indexing, commodity entry and exception (column 11, lines 16-22). A reason for monitoring would have been to check the accuracy of the work product of an inexperienced operator.

At item 2e. of the brief, pages 12 and 13, it is asserted that Cukor "deals with an actual space on a magnetic disk whereas the present invention relates to a transaction folder" and that these are two separate entities, and that Cukor does not teach a "financial folder".

Cukor's folders are financial folders in that they include documents, including invoices, generated in shipping transactions. Additionally, we are not persuaded by appellants' argument that Cukor does not teach transaction folders for the reasons set forth by the examiner at page 9, item 15., of the answer.

It is argued to the effect at item 2f., page 13, that Cukor does not meet the limitation "means for assigning a transaction

data folder to a particular user based upon a predetermined routing procedure" of dependent claim 6. Appellants state that they are "... unable to find any reference of a routing procedure..." in either location of Cukor's specification (column 6, lines 49-60 and column 10, lines 22-40) relied on by the examiner.

The examiner's response is at item 16. in the answer. The position taken is to the effect that Cukor discloses a manual procedure for assigning a file to a user, and that it would have been obvious to utilize an automated assignment procedure. In re Venner, 262 F.2d 91, 120 USPQ 192, 194 (CCPA 1958).

We are not persuaded by appellants' position. In response to appellants' argument, the examiner responded with a reasonable position based on Venner and there is no rebuttal thereof in the reply brief.

At item 2g., pages 13 and 14 of the brief, it is argued that Cukor fails to teach or suggest retrieving images from local storage. Based on citations relied on by the examiner, appellants contend that Cukor is only providing enough memory to support daily transactions and not long term storage. Appellants presume that the stored documents are "overwritten" by the

documents of the next day and that this is not storage. It is alleged that Cukor's system does not check to determine if the requested document is stored locally before requesting the data from the central site.

This argument is unpersuasive. There is simply no doubt that Cukor stores files locally, that is, at stations 10. See, for example, column 10, lines 46-54). As noted by the examiner at page 10, item 17, of the answer, there is no claim recitation regarding the size of transaction folders or the capacity of local memories. Nor is there any recitation as to how long data is stored in local memories or as to checking to determine if a requested document is stored locally before requesting the data from a central site.

At item 2h. of the brief, appellants argue that just because Reding teaches the use of a wide area network, and that it is theoretically possible that one could add Reding's network to Cukor, is not enough to establish motivation to combine the teachings of the two references.

This argument is not persuasive. First of all, as indicated above, Cukor's teaching is of a system of remote stations and

central stations, all of which are interconnected. The interconnecting means is known in the art as a wide area network. Thus, in this respect, Reding's teaching that digital imaging technology encompasses wide area networks is merely cumulative to Cukor. However, even if an unreasonable interpretation were to be given Cukor and it were to be considered that Cukor's central stations are isolated, Reding's teaching of wide area network communications in digital imaging systems would have suggested the use of such a system in Cukor's digital imaging system so as to cooperatively link his central stations, thus providing a larger, more flexible system. Section 103 requires us to presume that the artisan has full knowledge of the prior art in his field of endeavor and the ability to select and utilize knowledge from that art. In re Deminski, 796 F.2d 436, 442, 230 USPQ 313, 315 (Fed. Cir. 1986).

Lastly, at pages 15-17 appellants argue that the combination of Cukor, Reding and Wang does not teach, suggest or render obvious the subject matter of dependent claims 26 and 30.

It is urged that Wang does not teach folders and that, assuming arguendo that Wang teaches folders, those portions of

Wang relied on by the examiner fail to describe how or why one adds images to an existing folder or moves an image from one folder to another. With respect to claim 26, appellants contend that the passage cited in column 5, lines 49-52, is unclear as to whether a new document is added to the image code 16 or if more information is simply amended onto the image code. As to claim 30, appellants assert that the passage cited by the examiner in column 6, lines 27-31, is unclear as to whether Wang copies a field within a document to another document and keeps the field on the same document, or actually takes a whole field, copying it into a second folder and deleting it from the original folder. Finally, it is urged that there is no motivation to combine the features of Wang with Cukor because Cukor manages bills of lading, and there is no reason to transfer one bill of lading from one folder into another.

We are not persuaded by these arguments. Among other things, Wang's apparatus is disclosed as a system for filing documents, such as the medical records of patients. As such, it stores files (column 1, lines 18-25). Whereas a folder is nothing more than a file to store and organize documents, Wang

discloses folders. In this regard, at column 2, lines 6 and 7, Wang discloses that his system relates documents to an identified entity (claim 26). As noted by the examiner at page 11, item 20, of the answer, either interpretation of Wang's teaching at column 5, lines 49-52, reads on claim 26. Furthermore, as stated in the answer at page 12, item 21, whether Wang teaches copying a document to a second folder and deleting the first folder is irrelevant because no such feature is claimed in claim 30.

Lastly, appellants' argument that there is no motivation to combine the teachings of Cukor and Wang is not persuasive because it argues Cukor alone, not the prior art as a whole. As noted above, Wang teaches transfer of medical and other data in a document storage system from a first folder to a second folder. The storage of such data in Cukor, and transfer thereof between folders in the larger, more complex system of Cukor would have been obvious. Motivation to transfer data between folders would have been, for example, to transfer the medical history of a patient from a central transaction processing facility at a medical center in one city to that of the central facility of a medical center in another city where the patient is currently in need of care.

Summary

In view of our opinion, above, on the issues raised, we will sustain the outstanding rejections.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

STANLEY M. URYNOWICZ, JR.
Administrative Patent Judge)

ERROL A. KRASS
Administrative Patent Judge) BOARD OF PATENT APPEALS AND INTERFERENCES

STUART S. LEVY
Administrative Patent Judge)

sum/vsh

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